

**RECEIVED**  
**IN ALEXANDRIA, LA.**

**DEC 21 2012**

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

GEORGE SIMMONS,  
Plaintiff

CIVIL ACTION  
SECTION "P"  
1:12-CV-02078

VERSUS

JAMES LABLAU, et al.,  
Defendants

JUDGE DEE D. DRELL  
MAGISTRATE JUDGE JAMES D. KIRK

MEMORANDUM ORDER

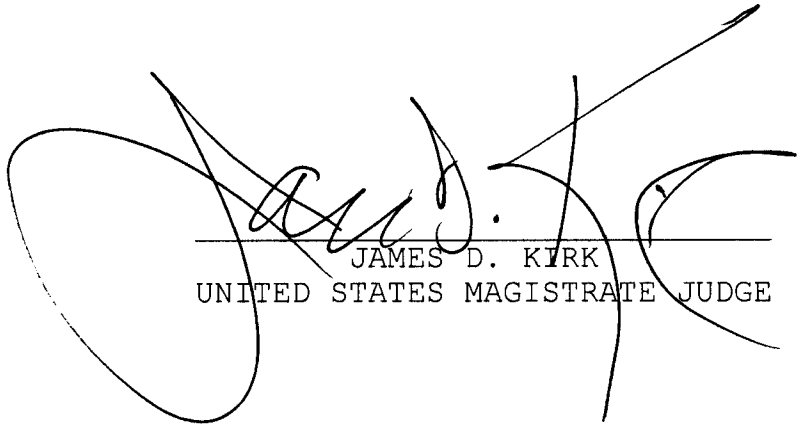
Simmons filed a motion for transfer to another prison (Doc. 18) because he does not feel safe at Avoyelles Correctional Center in Cottonport, Louisiana.

A federal court will not direct a state's prison system concerning the specific prison in which a particular state prisoner must be incarcerated. See Meachum v. Fano, 427 U.S. 215, 96 S.Ct. 2532 (1976). It is settled that federal courts will not interfere with matters of discipline and control in state prisons except where paramount federal constitutional or statutory rights intervene. Startti v. Beto, 405 F.2d 858, 859 (5th Cir. 1969), cert. den., 395 U.S. 929, 89 S.Ct. 1789 (1969); LeBlanc v. Foti, 487 F.Supp. 272, 275 (E.D.La. 1980). A writ of mandamus ordering a prison transfer is not available under 42 U.S.C. §1983.

Therefore, Simmon's motion to have the court order him

transferred to another prison (Doc. 18) is DENIED.

THUS DONE AND SIGNED in Alexandria, Louisiana on this 20th of  
December 2012.



JAMES D. KIRK  
UNITED STATES MAGISTRATE JUDGE